

## **PUBLIC INTEREST REPORT - KINGTON TOWN COUNCIL**

**Report By: COUNTY SECRETARY AND SOLICITOR**

### **Wards Affected**

Kington

### **Purpose**

1. To consider the Public Interest Report recently published by the District Auditor concerning Kington Town Council.

### **Financial Implications**

2. None at this stage.

### **Background**

3. The Audit Commission Act 1998 gives local government electors the right to "object" to the accounts of a local authority asking the auditor to exercise formal powers to issue a report in the public interest if there should be a finding that certain expenditure has been unlawful.
4. In the course of the audit of Kington Town Council's accounts for 2001/02, 2002/03 two electors made objections alleging that the basis of employment of the Town Clerk was unlawful and that the Council had no statutory power to pay certain legal expenses relating to the Town Clerk. Whilst the District Auditor has decided not to uphold these objections, he has issued a Report in the Public Interest arising from general concerns about the Town Council's corporate governance arrangements.

### **The Public Interest Report**

5. A copy of the Public Interest Report is appended to this report for the Committee's attention. The Committee will note the conclusion at paragraphs 24, 25 and 26 and the specific recommendation set out paragraph 27.
6. The District Auditor is recommending that the Town Council seek advice and support from Herefordshire Council's Standards Committee and monitoring officer in promoting higher standards of conduct and considering possible breaches of the Code of Conduct.
7. The County Secretary and Solicitor has met with the Chairman of the Town Council, to discuss the report and the assistance the Standards Committee may be able to offer the Town Council in responding to the District Auditor's recommendations. It has been suggested that the County Secretary and Solicitor and Chairman of the Committee arrange to meet with the Town Council to determine a way forward in providing advice and support to ensure that the Town Council promotes high

standards of conduct and the steps that should be taken should any member of the Town Council consider that there has been a breach of the Code of Conduct.

8. An extraordinary meeting of Kington Town Council was held on Wednesday 17 November 2004 to receive and consider the Public Interest Report and recommendations. The Town Council are considering their response to the report and are required to notify the auditor of their proposed action plan to deal with the recommendations. Once the District Auditor has agreed to those actions, the Town Council must then publicise a summary of its decisions in the local press.

## **RECOMMENDATION**

**THAT the Standards Committee consider the Public Interest Report relating to Kington Town Council.**

## **BACKGROUND PAPERS**

- Public Interest Report – Kington Town Council